

## Underground Storage Tanks--Proposed Virginia Regulatory Changes

This summarizes *proposed* regulatory changes, and is subject to change. DEQ will present the proposed Regulation to the State Water Control Board for adoption in 2017; it will likely become effective in early 2018. *DEQ will update this fact sheet once the Regulation is approved and the deadlines are final.*

### Applicability

- Tank and piping release detection will be required for emergency power generator USTs.
- Airport Hydrant Fuel Distribution system USTs and field-constructed USTs will now be regulated and have their own set of requirements.

### Lined Tanks

- A tank owner/operator must permanently close any tank with an internal liner that is no longer performing in accordance with the original design specifications and cannot be repaired in accordance with industry standards.

### Overfill Prevention

- Ball float valves (flow restrictors) will no longer be an option for newly installed USTs or as replacements when existing ball floats fail the required integrity test. Other overfill prevention devices such as shut off valves in fill pipes or alarms will be required.

### Biofuels

- The tank owner will need to notify DEQ at least 30 days prior to storing biofuels containing greater than 10% ethanol or greater than 20% biodiesel and demonstrate equipment compatibility.

### Release Detection Records

- Records of groundwater and vapor monitoring site assessments must be signed by a professional engineer or geologist, and the records must be kept as long as the methods are used.

### Financial Responsibility

- Tank owners/operators must demonstrate financial responsibility for temporarily closed tanks.

### New Testing Requirements for Equipment

- Testing must be conducted on secondary containment sumps used for interstitial monitoring, unless they are double-walled and interstitially monitored every 30 days.
- Testing must also be conducted on spill prevention devices (buckets) unless they are double-walled and interstitially monitored.
- A functionality test must be conducted on overfill prevention devices.
- All release detection equipment must be tested annually for proper operation.

### Walkthrough Inspections

- Every 30 days, tank owners/operators must inspect spill buckets, fill pipes and caps, interstitial areas of double-walled spill buckets, and release detection equipment.

**Note:** If deliveries occur at intervals greater than every 30 days, the spill buckets only need to be checked prior to each delivery.

- Annually, tank owners/operators must inspect all containment sumps, under-dispenser containment, interstitial areas of double-walled containment sumps, and handheld release detection equipment for damage, operability, and leaks (if applicable).
- Records of the walkthrough inspections must be kept for one year.

### Operator Training

- Facilities with temporarily closed tanks must have certified and trained Class A, Class B, and Class C operators.

## Implementation Time Frames for New UST Requirements

Items Effective Immediately (on effective date of UST regulation)	
Ball float valves (flow restrictors) may no longer be used to meet the overfill prevention requirement for new installs or when an existing ball float valve is replaced.	
Repaired equipment will need to be tested following the repair.	
Closure required for internally lined tanks that fail the internal lining inspection and cannot be repaired according to a code of practice.	
Equipment compatibility will need to be demonstrated for tanks storing biofuels.	
For airport hydrant fuel distribution systems and UST systems with field-constructed tanks: <ul style="list-style-type: none"> <li>• Notification and financial responsibility<sup>1</sup></li> <li>• Release Reporting</li> <li>• Closure</li> </ul>	
Financial Responsibility (FR) and Operator Training for temporarily out of use tanks and emergency generator tanks installed before 9/15/10.	
Items Effective 3 years from effective date of UST regulation	
Emergency generators installed prior to 9/15/2010 will need to perform release detection. Those installed on or after 9/15/2010 must meet all applicable requirements at installation.	
Airport hydrant fuel distribution systems and field constructed tank operating and release detection requirements.	
Spill Prevention devices testing. <sup>2</sup>	
Overfill Prevention equipment inspections. <sup>2</sup>	
Containment sump testing for sumps used for piping interstitial monitoring. <sup>2</sup>	
Release detection equipment testing.	
Walkthrough inspections required (monthly and annually).	
Site assessment records required for groundwater and vapor monitoring release detection as long as the methods are used.	

<sup>1</sup>Note that DEQ is requiring owners and operators to also submit a one-time notification of existence for these UST systems three years from the effective date of the state regulation. Owners and operators must demonstrate financial responsibility when they submit the one-time notification form.

<sup>2</sup>UST systems installed on and after the effective date of the UST regulation must meet these requirements at installation.

### Additional Information

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DEQ: <http://www.deq.virginia.gov/programs/landprotectionrevitalization/petroleumprogram.aspx>

EPA's Office of Underground Storage Tanks: <https://www.epa.gov/ust>

Virginia Town Hall: <http://townhall.virginia.gov/L/Register.cfm>

Register to receive regulatory change notifications from the Virginia Regulatory Town Hall.